

The Honorable Kymberly K. Evanson

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STEVEN FLOYD, JOLENE FURDEK, and
JONATHAN RYAN, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

AMAZON.COM, INC. and APPLE INC.,

Defendants.

Case No. 2:22-cv-01599-KKE

STIPULATED MOTION AND
[PROPOSED] ORDER EXTENDING TIME

NOTE ON MOTION CALENDAR:
February 7, 2025

STIPULATED MOTION

Plaintiffs Steven Floyd, Jolene Furdek, and Jonathan Ryan and Defendants Amazon.com, Inc. and Apple Inc. (together, “Defendants,” and collectively with Plaintiffs, the “Parties”), by and through their counsel, stipulate as follows:

1. Under the current schedule, fact discovery is set to close on February 26, 2025, with class certification briefing to follow. No case deadlines beyond class certification have been set.

2. The Parties request a limited extension of the schedule to afford additional time to complete fact discovery.

3. Good cause exists for a modest extension because the remaining fact and Rule 30(b)(6) depositions could only be scheduled after the current fact discovery deadline in order to

adjust for and accommodate witness availability. The extension will also allow the parties time to complete third party discovery. The extension of fact discovery will require adjustment of the dates for class certification briefing, but no other dates have yet been set in this case.

4. The Parties propose the following schedule:

Event	Current Date	Proposed Date
Fact discovery cutoff	2/26/2025	4/14/2025
Class certification motion and supporting reports	3/28/2025	5/14/2025
Class certification opposition and supporting reports	5/30/2025	8/14/2025
Class certification reply and reply reports	8/15/2025	11/14/2025

This schedule includes an adjustment of the cadence for class certification briefs because Defendants believe it will allow them sufficient time to depose any experts Plaintiffs may put forth in connection with their motion for class certification.

5. In order to streamline the remainder of fact discovery, Parties additionally stipulate and agree to the following limitations:

a. For the Defendants' deposition of Plaintiffs, and Plaintiffs' depositions of Defendants, including both fact depositions pursuant to Fed. R. Civ. P. 30(b)(1) and corporate depositions pursuant to 30(b)(6), there will be a 7-hour maximum time limit for each witness's deposition, regardless of whether the witness is sitting in their individual capacity, corporate capacity, or both at the same time.

b. The parties have stipulated that Plaintiffs may take twelve fact witness depositions, which are the currently scheduled up-to five fact witnesses per side and one Rule 30(b)(6) deposition per defendant.¹ The Defendants may designate an already scheduled fact witness deposition on some or all of the categories of the Rule 30(b)(6) notice. The Parties will

¹ Defendants reserve the right to challenge the appropriateness of the depositions currently noticed that have not yet occurred.

not serve additional notices of Rule 30(b)(1) or Rule 30(b)(6) depositions. This limitation applies only to party fact depositions and does not apply to expert depositions or third party depositions. The Parties may only serve additional party fact depositions notices upon mutual agreement of the Parties or following a motion showing good cause.

c. Each party has served the other Party (or Parties) with the written discovery (e.g., requests for production, interrogatories, requests for admissions) that they intend to serve at this time. However, there may be a need for limited written discovery to follow up on issues raised during the Parties' 30(b)(6) deposition negotiations (such as serving requests for written discovery that previously were topics for 30(b)(6) depositions), for new issues that might arise during depositions, or for narrow "clean-up" discovery. Discovery should be served as soon as possible after a Party identifies a need in order to facilitate timely meeting and conferring on objections, the scope of responses, or the documents to be produced.

d. The Parties shall complete any third-party discovery by the updated deadline to complete fact discovery.

STIPULATED to and JOINTLY submitted this 7th day of February, 2025.

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[PROPOSED] ORDER

Pursuant to the Parties' Stipulated Motion, IT IS SO ORDERED.

Dated this ____ day of February, 2025.

Kymberly K. Evanson
UNITED STATES DISTRICT JUDGE